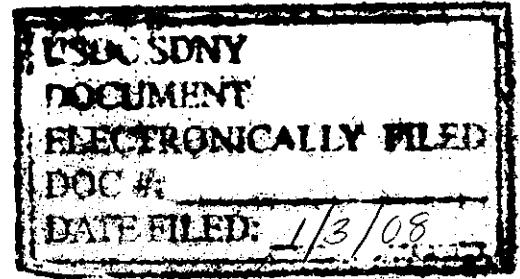


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
ELBERT MITCHELL,

Petitioner,

-against-

DALE ARTUS, Superintendent,
Clinton Correctional Facility,

Respondent.
----- x

07 Civ. 4688 (LTS) (AJP)

ORDER

ANDREW J. PECK, United States Magistrate Judge:

Mr. Mitchell's letter, postmarked December 31, 2007, refers to wanting "another" DNA test. That issue is not before this Court. Mr. Mitchell should make the appropriate application to the New York State Courts if he wants a new DNA test.

SO ORDERED.

Dated: New York, New York
January 3, 2008



Andrew J. Peck
United States Magistrate Judge

Copies to: Elbert Mitchell (Mail)
Susan Gliner, Esq. (Fax)
Nicole Beder, Esq. (Fax)
Judge Laura Taylor Swain